

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

In re:

**John J. Struble Jr. and Michelle Lee Struble**

S.S. Nos.: xxx-xx-3290 and xxx-xx-2592

Mailing Address: 5810 Crimson Court, Mebane, NC 27302-

**Case No. 10-82113**

Debtors.

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtors have filed for relief under Chapter 13 of the United States Bankruptcy Code on November 18, 2010.

The filing automatically stays collection and other actions against the Debtors, Debtors' property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtors' proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: December 6, 2010

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

John T. Orcutt  
N.C. State Bar No. 10212  
Counsel for the Debtors  
6616-203 Six Forks Rd.  
Raleigh, N.C. 27615  
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

# CH. 13 PLAN - DEBTS SHEET (MIDDLE DISTRICT - DESARDI VERSION)

Date: 11/5/10

Lastname-SS#: Struble-3290

## RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN

Creditor Name	Sch D #	Description of Collateral
Orange County		Real Property Taxes

## SURRENDER COLLATERAL

Creditor Name	Description of Collateral

## ARRIARAGE CLAIMS

Creditor Name	Sch D #	Arrearage Amount	(See †)
Orange County			**
			**
			**
			**
			**
Wells Fargo		\$3,156	**
			**
			**
			**

## REJECTED EXECUTORY CONTRACTS/LEASES

Creditor Name	Description of Collateral

## LTD - DOT ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS

Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
Wells Fargo		\$1,041	N/A	n/a	\$1,041.00	Residence
			N/A	n/a		
			N/A	n/a		
			N/A	n/a		

## STD - SECURED DEBTS at FMV

Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
			5.00			
			5.00			
			5.00			
			5.00			

## STD - SECURED DEBTS at 100%

Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
Chase		\$28,300	5.00	\$283	\$547.70	2009 Ford F150
BMW Finance		\$20,828	5.00	\$152	\$403.09	2006 BMW
Harrington Bank		\$47,644	5.25	\$476	\$927.54	Balloon Note
			5.00			
			5.00			

## ATTORNEY FEE (Unpaid part)

Law Offices of John T. Orcutt, P.C. \$2,800

## SECURED TAXES

IRS Tax Liens Secured Amt

Real Property Taxes on Retained Realty \$2,107

## UNSECURED PRIORITY DEBTS

IRS Taxes Amount \$400

State Taxes

Personal Property Taxes

Alimony or Child Support Arrearage

CO-SIGN PROTECT (Pay 100%+) Int.% Payoff Amt

All Co-Sign Protect Debts (See\*)

## GENERAL NON-PRIORITY UNSECURED

DMI= None(\$0) Amount\*\* None(\$0)

## Other Miscellaneous Provisions

Plan to allow for 3 "waivers". Interest on EAE at fed. judgment rate

## PROPOSED CHAPTER 13 PLAN PAYMENT

\$ 3,200 per month for 60 months, then

\$ N/A per month for N/A months.

Adequate Protection Payment Period: 0.89 months.

Sch D # = The number of the secured debt as listed on Schedule D.

Adequate Protection = Monthly 'Adequate Protection' payment amt.

† = May include up to 2 post-petition payments.

\* Co-sign protect on all debts so designated on the filed schedules.

\*\* = Greater of DMI x ACP or EAE (Page 4 of 4)

Ch13Plan\_MD\_(DeSardi Version 1/12/10) © LOJTO

## **CERTIFICATE OF SERVICE**

I, Kaelyn McCollum, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s Kaelyn McCollum

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Kaelyn McCollum

North Carolina Department of Revenue c/o NC Department of Justice Post Office Box 629 Raleigh, NC 27602-0629	US Attorney's Office (ED)** 310 New Bern Avenue Suite 800, Federal Building Raleigh, NC 27601-1461	Chase Auto Finance Post Office Box 901076 Attn: Managing Agent Fort Worth, TX 76101-2076
Employment Security Commission Attn: Benefit Payment Control Post Office Box 26504 Raleigh, NC 27611-6504	Absolute Collection Service ** 421 Fayetteville Street Mall Suite 600 Raleigh, NC 27601	Chase** Post Office Box 15153 Wilmington, DE 19850-5153
Credit Bureau Post Office Box 26140 Greensboro, NC 27402	Alamance Regional Medical Center 1240 Huffman Mill Road Burlington, NC 27215	Chatham Crossing Medical Center 11312 Us Hwy N Chapel Hill, NC 27514
NC Child Support Centralized Collections Post Office Box 900006 Raleigh, NC 27675-9006	American Express** Post Office Box 981535 El Paso, TX 79998-1535	Credit Bureau of Greensboro** Post Office Box 26140 Greensboro, NC 27402-0040
Equifax Information Systems LLC P.O. Box 740241 Atlanta, GA 30374-0241	Bank of America ** Post Office Box 15026 Wilmington, DE 19886-5026	DirectTV *** Post Office Box 6550 Greenwood Village, CO 80155-6550
Experian P.O. Box 2002 Allen, TX 75013-2002	BMW Financial 5515 Park Center Attn: Managing Agent Dublin, OH 43017	Harrington Bank FSB 5925 Harrington Road Attn: Managing Agent Chapel Hill, NC 27517
Trans Union Corporation P.O. Box 2000 Crum Lynne, PA 19022-2000	Burlington Orthopedic P.A. 1236 Huffman Mill Road Post Office Box 209 Burlington, NC 27216	Internal Revenue Service (MD)** Post Office Box 21126 Philadelphia, PA 19114-0326
ChexSystems Attn: Consumer Relations 7805 Hudson Road, Ste. 100 Woodbury, MN 55125	CBE Post Office Box 2635 Waterloo, IA 50704-2635	Interstate Credit Collections Post Office Box 3136 Winston Salem, NC 27102-3136
Internal Revenue Service (ED)** Post Office Box 7346 Philadelphia, PA 19101-7346	Chase **** Cardmember Service Post Office Box 15298 Wilmington, DE 19850-5298	Law Offices of John T. Orcutt 6616-203 Six Forks Road Raleigh, NC 27615

M&T Bank\*\*\*\*  
PO Box 1288  
Attn: Managing Agent  
Buffalo, NY 14240-1288

Verizon Wireless Bankruptcy\*\*\*\*  
Administration  
Post Office Box 3397  
Bloomington, IL 61702-3397

NAFS  
165 Lawrence Bell Drive, Ste 100  
Post Office Box 9027  
Buffalo, NY 14231-9027

Warren Hay  
Post Office Box 818  
Hillsborough, NC 27278

NCO Financial Services \*\*  
PO Box 15630  
Dept 99  
Wilmington, DE 19850

Wells Fargo Home Mortgage\*\*\*\*  
Post Office Box 14547  
Attn: Managing Agent  
Des Moines, IA 50306-3547

North Carolina Department of Revenue  
c/o Reginald S. Hinton  
Post Office Box 25000  
Raleigh, NC 27640-5000

North Carolina Dept of Revenue\*\*  
Post Office Box 1168  
Raleigh, NC 27602-1168

Orange County Tax Collections\*\*  
PO Box 8181  
Attn: Managing Agent  
Hillsborough, NC 27278

Orange County Tax Collections\*\*  
PO Box 8181  
Hillsborough, NC 27278

UNC Hospitals\*\*  
Attn: Bankruptcy Department  
211 Friday Center Drive  
Chapel Hill, NC 27517

US Attorney's Office (MD)\*\*  
Middle District  
Post Office Box 1858  
Greensboro, NC 27502-1858